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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,699	12/30/2005	Per Ronnau	PATRADE	9157

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James C Wray
Suite 300
1493 Chain Bridge Road
McLean, VA 22101

EXAMINER

TANG, SON M

ART UNIT	PAPER NUMBER
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2612

MAIL DATE	DELIVERY MODE
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10/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/560,699

Applicant(s)

RONNAU, PER

Examiner

Son M. Tang

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 5/02/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: In claim 1, the feature claimed “means for identifying the type of pest” is not clearly explained in the original specification of the process of identifying the type of pest by the means, or how the type of pest being identified?

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 is rejected to as a result of the objection of the claimed “means for identifying the type of pest” above.

4. Regarding **claim 7**, the phrase "for example" and “such as” and **claim 6**, the phrase “may be” render the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gardner, Jr. et al. [US 2003/0213161].

Regarding claim 1: Gardner discloses a pest control system [see Fig. 1] comprising:

-one or more detection units (11) and means for identifying the type of pest by each style of trap (11) [as cited in ¶ 0056], means (14) for electronically communicating the collected data to a local server (16), the local communication server (16) comprises means (15) for receiving input (22) from the detection units (11) and transmits the input to a central system server (17), which collects and treat data received from one or more discrete remote local communications servers such that the treated data such as store in database (log registration) and generates a report for each of the traps (see col. 7, lines 30-53). Gardner does not specifically mention that the collected data is being encrypted before transmitted to the local server. Data encryption is known in communication art, that uses to prevent any but the intended recipient from reading that data. Therefore, it would have been obvious of one having ordinary skill in the art at the time the invention was made to have the collected data encrypted so that only the intended receiver can be able to read the collected data.

Regarding claim 2: Gardner further discloses the pest is a rodent and sensor is a movement sensor [see ¶ 0063].

Regarding claim 3: Gardner discloses insect detection sensor is a photocell detector (506) that detects the insects enter into the beam of light (502) [Figs. 5B-5C]. It would have been obvious of one having ordinary skill in the art to recognize that breaking the light beam is constituted of movement of insect, that photocell is a movement sensor.

Regarding claim 4: Gardner further discloses means (553) for exterminating pests in the detection unit [¶ 0062].

Regarding claim 5: Gardner discloses that the status report on the current status of the detection unit at predetermined time intervals [see ¶ 0042].

Regarding claim 6: Gardner further discloses that central server comprises a database and that data from the detection units as well as actions in response to such data is stored, and that the data by means of suitable software (inhered in the system) used to predict possible causes of presence of pests, and suggest possible actions (such as visiting the devices) [see ¶ 0050-0053].

Regarding claims 7-8: Gardner further discloses that communication between the components in the system take place via either wire or wireless means such as radio frequency or Internet [see ¶ 0045 and Fig. 1].

Regarding claim 9: Gardner further discloses that detection units comprise a GPS unit for conveying the components' position [see ¶ 0064].

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Meehan et al. [US 4,862,145], Farrell et al. [US 6,445,301], Beroza et al. [US

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7,020,996], Gardner, Jr. et al. [US 7,071,829; US 6,937,156], Mafra-Neto et al. [US 2003/006997], Shuman et al. [US 6,493,363], Chyun [US 2006/0149509] and Hoyes [US 2005/0102889].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son M. Tang whose telephone number is (571)272-2962. The examiner can normally be reached on 5/8.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571)272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Son Tang


BENJAMIN C. LEE
PRIMARY EXAMINER